

JEROME TOWNSHIP  
BOARD OF TRUSTEES,  
UNION COUNTY, OHIO

In re:

Consent Decree in the  
Matter styled Craig D. Scott,  
Trustee, et cetera, et al.  
v Jerome Township, United States  
District Court Southern District  
of Ohio, Case No. 2:21-CV-03993

PUBLIC MEETING BEFORE THE JEROME TOWNSHIP TRUSTEES

Date: December 20, 2021

Time: 7:00 p.m. - 7:52 p.m.

Location: Jerome Township Building  
9777 Industrial Parkway  
Marysville, Ohio 43040

Reported By: Belinda M. Wolford  
Registered Professional Reporter  
and Notary Public,  
State of Ohio.

TRUSTEES PRESENT:

Megan Sloat, Chair  
Joe Craft  
C.J. Lovejoy

ALSO PRESENT:

Robert Caldwell, Fiscal Officer  
Doug Stewart, Fire Chief/Director of Departments  
Peter N. Griggs, Esquire,  
Counsel for Jerome Township

**ORIGINAL**

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I N D E X

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1 P-R-O-C-E-E-D-I-N-G-S

2 MS. SLOAT: Good afternoon, everyone. The  
3 time is 7:00 p.m. I would call to order the  
4 specific meeting of the Jerome Township Board of  
5 Trustees, December 20, 2021. Roll call, please.

6 MR. CALDWELL: Mr. Craft?

7 MR. CRAFT: Present.

8 MR. CALDWELL: Mr. Lovejoy?

9 MR. LOVEJOY: Present.

10 MR. CALDWELL: Ms. Sloat?

11 MS. SLOAT: Present.

12 The purpose of the meeting is to consider a  
13 proposed consent decree in the matter styled Craig  
14 D. Scott, Trustee, et cetera, et al. versus Jerome  
15 Township, United States District Court, Southern  
16 District of Ohio, Case Number 2:21-CV-03993  
17 pursuant to Ohio Revised Code 505.07.

18 Just a couple housekeeping matters. This  
19 meeting has been advertised in accordance with the  
20 requirements of Ohio Revised Code 505.07. I would  
21 like to make a motion to enter the proof of the  
22 publication from the *Marysville Journal-Tribune*  
23 into the record.

24 MR. CRAFT: Second.

25 MS. SLOAT: Roll call.

1 MR. CALDWELL: Mr. Craft.

2 MR. CRAFT: Yes.

3 MR. CALDWELL: Mr. Lovejoy?

4 MR. LOVEJOY: Yes.

5 MR. CALDWELL: Ms. Sloat.

6 MS. SLOAT: Yes.

7 (Attachment One, Public Notice, approved.)

8 MR. GRIGGS: Madam Chair, for the record,  
9 that will be Attachment One to the meeting minutes.

10 MS. SLOAT: Thank you. Again, the purpose of  
11 this meeting is to allow residents to comment on  
12 the proposed consent decree that has been filed  
13 with the township. Residents will be given three  
14 minutes apiece. Please limit your comments to the  
15 consent decree without personal attacks on any  
16 individuals. And when you come to the podium,  
17 please state your name and address for the record.  
18 First we have Matthew Friend.

19 MR. FRIEND: Matthew Friend, 10821 Crottinger  
20 Road, Plain City, Ohio. Thank you for listening.  
21 Just a question. I really don't understand why  
22 we're here because we the citizens have voted. My  
23 biggest concern for the Rolling Meadows Development  
24 is I worked with Harold Reynolds (phonetic) with  
25 the EPA. He has done a pretty good job. But I

1 haven't seen any of you guys really involved in the  
2 rebuild of the Hershberger dump. They did a  
3 gravity feed to it, which they switched it from  
4 being pumped out every other day. I have lived out  
5 there for 25 years so I do know for a fact they did  
6 pump it out. Now they put a gravity fed system,  
7 septic system to it, and they even put a new  
8 culvert, and if you see -- the culvert is lined up,  
9 and with all the heavy rain that we've had, you can  
10 see how all that rainwater is going right over  
11 there. All that water. Period.

12 And if you guys develop that and it blows up  
13 in our face like it has in Marion County and I lose  
14 my tax dollars -- because everything has growth,  
15 but the thing is, if we have a problem with cancer,  
16 you build ponds there and kids get hurt, we all  
17 lose our property value. What good will that do  
18 for Jerome Township? What good will it do for me?  
19 I've lived out here 25 successful years. I've  
20 enjoyed every minute of it until now. I think you  
21 guys really need to understand our environment, the  
22 problems we have in Jerome Township.

23 We even have a super hazardous place over  
24 there on 736 and 42 called Ranco [sic]. They're  
25 watching that very seriously. It's leaking

1 mercury. So, but really my concern is the increase  
2 in traffic. My roads aren't built for this. C.J.  
3 Lovejoy lives on Taylor and you know our roads, the  
4 way they're built, they're not wide enough and  
5 already coming apart from all the trucks that's  
6 going up and down Harmony Road. I've lived all  
7 summer with this noise of rebuilding this. They're  
8 going to put an ugly fence up, which I don't know  
9 how Jerome Township didn't vote on it, but we the  
10 citizens are going to live with it because it's for  
11 the safety of the community.

12 But let's not be so concerned about quick  
13 money; let's be concerned for the citizens of this  
14 community. Let's vote in the right way. It's up  
15 to you, but I know you live in the area. I'm sure  
16 you want to raise your family like I have raised my  
17 family. So why -- I don't see the value in this.  
18 I really don't. We still -- we have too many  
19 issues that need to be addressed before we even  
20 think of more growth. Thank you.

21 MS. SLOAT: Thank you very much. And legal  
22 counsel has also asked me when you come up to the  
23 podium if you could please spell your name for the  
24 court record. Next we have Wayne Dodge.

25 MR. DODGE: Yes. My name is Wayne Dodge. I

1           live on 10675 Laguna Circle.

2                   MS. SLOAT: Could you spell your name,  
3 please?

4                   MR. DODGE: W-A-Y-N-E, D-O-D-G-E.

5                   MS. SLOAT: Thank you.

6                   MR. DODGE: You're welcome. I would like to  
7 speak to the previous gentleman's topic there. I  
8 had the dubious distinction of being up and being  
9 the one who discovered the pond that is up there on  
10 the property that he's discussing there between the  
11 15th tee and green. And there's -- if -- I wish  
12 that somebody else in this room would have seen  
13 what I saw that day. Foam this deep on the east  
14 side of that pond. It reeked. There was at least  
15 a thousand fish, turtles, frogs, muskrats dead in  
16 the water in the pond and down the spillway.

17                   I was asked to go down the spillway where it  
18 went to Sugar Run and follow Sugar Run as far as I  
19 could. I made it almost to Taylor Road, and by  
20 that time I was still seeing fish in the water.  
21 And those weren't fish from the pond. There's a  
22 lot -- and I've heard a lot of things about, no,  
23 you know, they're testing it and they and they and  
24 they. But I've never heard anybody give me a  
25 proper name for what they're testing for. I don't

1 know. And somebody's going to tell us, oh, you  
2 know, heck, it's going to be okay. Well, somebody  
3 else can sleep, they can walk in there and they can  
4 build a house if they want to. I just wish them  
5 good luck building.

6 Speaking of that same area, where they're  
7 trying to bring out the entrance and exit, that  
8 falls within the 100-year flood plane. And I think  
9 the gentleman over there in the uniform can  
10 probably back me up on this. I'm pretty sure that  
11 we have high water signs in that exact area, and up  
12 over the years -- and I used to live right there --  
13 I've seen the water over there a foot deep. And  
14 that's where you're going to bring out a -- bring  
15 out an entrance and exit?

16 This is why, to me anyway, it seems like this  
17 whole system is broken. You can't get along with  
18 everybody in -- up in Marysville; we can't get  
19 along with anybody else, yet we've got people that  
20 want to come in here telling us how they want  
21 things done. Last thing I'm going to bother you  
22 with is whenever we do have and approve these --  
23 these items, there's never -- I don't know of  
24 anybody that's ever followed up with me on where I  
25 live up there. One guy did. I take that back.

1 And he was -- he was very angry at what he saw.  
2 And there's a lot of people like that that won't  
3 say anything, and I think that somebody should do  
4 follow-up and check after they do approve the  
5 zoning and stuff like that to make sure that these  
6 guys that come in here and give us a really nice  
7 speech and say here's what you're going to get and  
8 then here's what I got.

9 MS. SLOAT: That's three minutes. Thank you  
10 very much.

11 MR. DODGE: You're welcome. Thanks for  
12 letting me talk.

13 MS. SLOAT: Thank you. Next we have Lynda  
14 Chapman.

15 MS. CHAPMAN: Good evening.

16 MS. SLOAT: Good evening.

17 MS. CHAPMAN: I'm Lynda, L-Y-N-D-A, Chapman,  
18 C-H-A-P-M-A-N. I live at 8343 McKittrick Road,  
19 Plain City. This consent decree it not fair and  
20 reasonable. To allow four entirely different  
21 unrelated developments to come together and trod  
22 over 70 percent of the referendum voter's voices  
23 and bully a township into concessions strictly in  
24 their favor is a sham.

25 As an adjacent property owner to Wicked

1 Chicken, we stood before you last summer and  
2 brought our concerns over allowing a rezoning from  
3 rural residential to planned development in a  
4 mostly rural residential neighborhood of five- to  
5 ten-acre properties. We talked about the amount of  
6 trees that would be destroyed, which since then  
7 have been lumbered; that the west boundary line had  
8 70 feet of green space not to be matched on the  
9 east. We questioned the safety concerns of one  
10 entrance and then, because there were over 30  
11 homes, requiring an emergency entrance for fire and  
12 emergency services. Adding more traffic to a  
13 narrow, deep-ditched road that will have to also  
14 accommodate much of the soon to be 447 houses being  
15 brought by Glacier Point. Even discussing an  
16 e-mail from Wicked Chicken's law firm indicating  
17 that in exchange for our cessation from any vocal  
18 testimonies at hearings or written opposition to  
19 the project by any means or by any referendum  
20 action, they would extend the no bill preservation  
21 of trees and green space easement as an act of good  
22 faith, goodwill, and as an extra neighborly gesture  
23 and if we didn't accept the agreement, they'd force  
24 us to remove and remedy our sump pump outletting  
25 onto their property to which we had a gentleman's

1 agreement with the previous property owner.

2 We have lived in our home for over 30 years  
3 and intentionally selected this area because of the  
4 country living; a great place for horses, donkeys,  
5 and other farm animals, a peaceful setting, many  
6 natural surroundings, and a long way to the grocery  
7 store. Never have we spoken out against anything  
8 in this township until all of these rezonings from  
9 rural residential to planned development started  
10 flooding in with approvals. It was soon to be  
11 noticed all the traffic congestion and accidents,  
12 our quaint little road becoming a cut-through. We  
13 were losing our rural character that's spoken of in  
14 the comprehensive plan, and now fire and public  
15 safety levies suffer.

16 How will they be received in the future? The  
17 referendum process provided a path of oversight.  
18 This is a cry from your residents. We are to whom  
19 you should be listening and supporting more than  
20 the Industrial Parkway Business Association and  
21 developers whom over time leave the cleanup to us.  
22 Each one of these developments should have to  
23 settle in their own merit and at least have to  
24 consider their surrounding residents before letting  
25 Jerome Village pick up the tab.

1           To the trustees of Jerome Township: I have a  
2           commitment on Monday evening, the 20th, which I  
3           cannot change that precludes me from delivering  
4           this in person. It seems we are at a critical  
5           point relative to your individual and collective  
6           decisions relative to the consent decree. I lost  
7           my mark. You either follow the wants of the people  
8           that to this point you represent as voted by on the  
9           past referendums, or you will cave to the money --  
10          money developers. All the legal mumbo-jumbo is,  
11          frankly, just untruthful legalese to say you are  
12          caving to the power of money. The terms are  
13          capricious, arbitrary, and unreasonable and  
14          reserved for positions that lack logic.

15          In this case, logic is clear. The  
16          development is being conducted contrary to the  
17          spirit of the comprehensive plan which clearly lays  
18          out the objective of preservation of the rural  
19          nature of the place that we have elected to call  
20          home. By contrary, I mean that the objective of  
21          the developers has nothing to do with the  
22          preservation of anything other than the profit  
23          potential of those involved in this endeavor.

24          Your legacy, if you approve this consent  
25          decree, will be remembered for a very long time and

1           This consent decree will pave the way for the  
2           next developer who doesn't get their way to sue the  
3           township and, again, step on the rights of your  
4           residents. They have property rights too. I'm  
5           pleading with you to please allow the motion to  
6           dismiss be answered before making any consent  
7           action. Please vote no. Thank you.

8           MS. SLOAT: Thank you. Next we have Mr. Jim  
9           Lawrenz.

10          MR. LAWRENZ: Good evening, trustees. I do  
11          have a hard copy here.

12          MS. SLOAT: Can you please state your name  
13          and spell your name and address for the record?

14          MR. LAWRENZ: I sure can. James Lawrenz,  
15          L-A-W-R-E-N-Z. 12348 Bell Road, Marysville, Ohio.  
16          And I am a landowner in Jerome Township also. I  
17          would like to hand these out if I could. I've  
18          given you guys that same copy of these already.  
19          Thank you. I am here tonight to get an e-mail that  
20          was sent to the trustees here a few days ago, and  
21          myself. I would like to get this on the official  
22          record this evening. The author, Mr. John Deane,  
23          was not able to attend tonight, but with his  
24          permission I am presenting this document that was  
25          written by him.

1 will be brought up with your names attached every  
2 time there's another dispute over a developer's  
3 nonperformance in the requirements tied to the  
4 specific rezoning. Two of you have been replace  
5 from the board of trustees; one of you voted out  
6 with the -- competing with the representatives of  
7 the position that opposes the indiscriminate  
8 development.

9 What does that tell you? If you vote to pass  
10 this, most of us are left with this legacy. I  
11 believe it will be done out of spite. It is  
12 amazing to me that you and the owners/developers of  
13 the properties named disregard the right of  
14 opinions of the current residents. But this is  
15 such as the power of money it seems. You might be  
16 able to sign this document and sleep well the next  
17 night, but if this is the case you will remember  
18 well when your rights are trodden on on the next  
19 time and you will surely feel like we do now.

20 My request is that you reject the easy way  
21 out of the litigation by refusing to sign something  
22 that the township residents overwhelmingly oppose.  
23 Sincerely, thank you for your consideration,  
24 Mr. John M. Deane.

25 MS. SLOAT: Next we have Kelly Transue.

1 MS. TRANSUE: Hello. My name is Kelly  
2 Transue. K-E-L-L-Y, T-R-A-N-S-U-E. And I live at  
3 8368 McKitrick Road in Plain City. My family has  
4 lived out here since the 50's and have enjoyed it  
5 for its rural character. My dad was raised out  
6 here and my children have been raised out here.  
7 I'm trying to understand what's going on with this  
8 consent decree. It seems like before the election  
9 that you -- that all of you were for filing to  
10 dismiss the federal lawsuits and the attorneys made  
11 what appeared to be like a solid case. It was like  
12 drawing good cards in a poker game. The developers  
13 did not file anything to object to your motion to  
14 dismiss, but decided after the election was over to  
15 get two of the three of the trustees to agree to a  
16 settlement. Did they think their cards were not  
17 good enough to win the case?

18 It seems like if someone sued me but I have a  
19 good case that I wait to see if the judge agrees to  
20 dismiss the suit before folding my cards. It is  
21 like the developers knew that they didn't have good  
22 cards in their hands and decided to go all in to  
23 bluff the township into folding. What was  
24 initially a \$5 million loss suddenly jumped to a  
25 \$13.4 million loss, but since they didn't respond

1 to the motion to dismiss, they didn't need to  
2 justify how they arrived at the increase in these  
3 excessive damages, so rather than call their hand  
4 after the election was over and Mr. Craft lost, two  
5 of you agreed to settle.

6 This all begs the question of what it does  
7 for developers to buy their way in to our community  
8 and deny the residents their vote -- their votes to  
9 reject the rezonings. It appears that they  
10 sweetened the deal with over \$2 million from the  
11 Jerome Village which was hidden in the details with  
12 the money which would be used from fees that the  
13 residents were already paying. None of the other  
14 three developers offered any payments to the  
15 township. Instead, they requested \$250,000 in  
16 total payments to them.

17 Furthermore, there wasn't a verbal commitment  
18 for road upgrade -- road upgrades and a park  
19 contribution that the homestead at Scott Farms  
20 previously made but didn't put into writing. Since  
21 it wasn't in writing, the contribution that would  
22 have totalled \$350,000 to the township  
23 infrastructure is not enforceable and not on the  
24 table. The developers appeared to offer only a few  
25 minor changes to the original plans with the

1 exception of Rolling Meadows. They dropped over  
2 100 residential units and removed five parcels of  
3 land that were in the original application.

4 Was this because they were all -- they are  
5 all the properties adjacent to the golf course and  
6 there were complications in an agreement with them  
7 stating that the golf course could be used to  
8 fulfill the open space requirement of the planned  
9 development even though the parcels were not owned  
10 by the developer? Or is it that the golf course  
11 may be up for sale and that would have complicated  
12 any deal? The Rolling Meadows Development also has  
13 a nearby landfill called Unico Landfill that was  
14 never remediated and chemicals of concern were  
15 noted as a potential health risk for any nearby  
16 residential development. Mr. Craft even voted  
17 against this development but is now changing his  
18 vote. Approval for these four projects will add  
19 another 679 residential units to the township.

20 MS. SLOAT: That is three minutes. Are you  
21 almost finished or --

22 MS. TRANSUE: Can I have a few -- another  
23 minute or so? My husband didn't talk because he  
24 let me do it.

25 MR. LOVEJOY: If we're going to do this for

1           everybody, Madam Chair, we got to be fair across  
2           the board. We've been going three minutes for  
3           everybody else.

4           MS. SLOAT: Okay. That's three minutes.  
5           Thank you. Next we have Kevin Barney.

6           UNIDENTIFIED SPEAKER: Everyone else can  
7           donate their time to her then.

8           MS. SLOAT: No. We're going to do three  
9           minutes, as I stated at the beginning of the  
10          meeting, three minutes per speaker.

11          UNIDENTIFIED SPEAKER: The second speaker  
12          went four-and-a-half. I timed it.

13          MS. SLOAT: Three minutes per speaker.

14          UNIDENTIFIED SPEAKER: Okay. You said you  
15          wanted to be fair.

16          MS. SLOAT: Next we have -- next we have  
17          Kevin Barney. Would you come to the podium,  
18          please.

19          MR. BARNEY: Kevin Barney, K-E-V-I-N,  
20          B-A-R-N-E-Y. 8180 McKittrick Road, Plain City. I'm  
21          here to request in the strongest terms possible  
22          that you the trustees reject the signing of the  
23          joint proposed settlement or the consent decree  
24          we're speaking to this evening. The fact of the  
25          matter is that the plaintiffs have decided on this

1 course of action as an indication of their  
2 desperation. This is a last-ditch effort that the  
3 plaintiffs have resorted to.

4 For some reason the plaintiffs have failed to  
5 understand that the referendum process has been  
6 followed in all four instances, had been executed  
7 in a fair and reasonable manner. The plaintiffs  
8 simply have not gotten their way, are refusing to  
9 acknowledge the will of the township's residents,  
10 and are using fear and intimidation to scare you,  
11 the trustees, into neglecting your duty and going  
12 against the will of the voters.

13 Please review and know the plaintiffs'  
14 arguments were easily rebuffed by the township's  
15 motion to dismiss. Furthermore, please know -- and  
16 as an example, the validity of the referendum  
17 process was on full display when a Jerome Township  
18 resident with no formal legal education  
19 successfully and easily defended the merit of the  
20 Scotts Farm referendum against T Build  
21 Development's (phonetic) high-powered lawyers.  
22 This showcases the weakness of the plaintiffs'  
23 arguments.

24 The plaintiffs have finally shown us who they  
25 are. Now you must, the trustees, you must finally

1        see them too as the indignant bullies they are,  
2        using false claims and a threat of a multimillion  
3        dollar lawsuit to get their way. Plaintiffs have  
4        continuously claimed to have the best interests of  
5        the township at heart. That's not the case. I  
6        would argue the residents of the township have  
7        consistently spoken by voting down the change in  
8        zoning designations on repeatedly -- repeatedly by  
9        large margins.

10        The voting record will show that it's not a  
11        select few residents the plaintiffs claim but an  
12        overwhelming majority have supported the referendum  
13        process. For example, please review 85 percent of  
14        the voters rejected the Wicked Chicken Farm at  
15        Indian Run zoning change. It is your job. It is  
16        your job, trustees, to support the will of the  
17        residents. If the consent decree is signed by the  
18        trustees, the long lasting and far-reaching  
19        consequences of your actions will be disastrous.  
20        You'll have stripped your very neighbors of their  
21        voices. I please implore you, do not cave to the  
22        false and disrespectful claims of the plaintiffs to  
23        the -- to the argument within the motion to dismiss  
24        we know is true. Thank you.

25        MS. SLOAT: Thank you. Next we have Mr. Bob

1 Chapman.

2 MR. CHAPMAN: My name is Bob Chapman,  
3 C-H-A-P-M-A-N. I live 8343 McKittrick Road and have  
4 resided there for over 30 years. And my property  
5 is adjacent to the Wicked Chicken Farm at Indian  
6 Run.

7 Jerome Township is seeing unprecedented  
8 growth. The systems that protect the safety and  
9 quality of life in the majority -- of the majority  
10 of the residents is being stressed to the limit:  
11 Dangerous intersections, our fire protection,  
12 emergency services, supplemental policing costs,  
13 school overcrowding with impending new levies,  
14 rising property taxes and additional manpower  
15 expenses for the township are all issues. Four  
16 rezonings and planned development were  
17 overwhelmingly defeated by the residents of Jerome  
18 Township as they sought to have some meaningful  
19 impact on the rapid development of the township.

20 A handful of large landowners and powerful,  
21 well-financed developers are now seeking to  
22 overpower the vote -- the voting will of the people  
23 and force us to basically approve these four  
24 rezonings as originally submitted with no  
25 significant concessions or modifications. Jerome

1 Village now agrees to pay a large sum of money to  
2 Jerome Township in what looks like a rezoning for  
3 sale and a sellout of our rights.

4 This is not fair and reasonable. Approval of  
5 this consent decree will undermine any future  
6 referendum action and set a dangerous precedent in  
7 our county and Ohio. This decree is full of  
8 concessions by our trustees and does not meet the  
9 required test of fair and reasonable. Wicked  
10 Chicken recently purchased the previously protected  
11 woodlands on McKitrick Road with full knowledge of  
12 the rural residential zoning it enjoyed and then  
13 proceeded to destroy the majority of mature tree  
14 area and now seeks to proceed with no concessions  
15 or modifications to the development plan that  
16 unequally provides no green space buffer on the  
17 east side property line. Their conservation  
18 easement makes no real demands for sustained  
19 vegetation, privacy, or buffering.

20 This rezoning was defeated by over 85 percent  
21 of the township voters for many reasons. This  
22 consent decree is not fair and reasonable and  
23 Wicked Chicken should not even be included in this  
24 decree. The plaintiffs have asked twice to extend  
25 their response to the motion to dismiss. It now

1 extends into January of 2022. We all paid for  
2 legal counsel to submit this well-crafted motion to  
3 dismiss and now we deserve to have it answered by  
4 the plaintiffs before any consent decree is  
5 considered.

6 It appears that the accelerated votes on this  
7 consent decree is being driven by the two outgoing  
8 trustees. I ask that the consent decree be denied  
9 or delayed until the motion to dismiss is answered  
10 by the plaintiffs and ruled on by the Court.  
11 Please find the courage to stand up to these  
12 developers, support your residents, and not trade  
13 our rights to vote and to be heard for a financial  
14 payout. Now is the time to be fair and reasonable.  
15 Thank you.

16 MS. SLOAT: Next we have Lucinda Burian.

17 MS. BURIAN: Lucinda Burian, 7031 Hill Road,  
18 Plain City, Ohio. L-U-C-I-N-D-A, B-U-R-I-A-N. I'm  
19 not going to stand up here and tell you I know  
20 what's best for the township, and I'm too far  
21 lacking in knowledge of process, and I'm not going  
22 to tell any of you that your position is wrong.  
23 Again, I'm simply not schooled in all the nuances  
24 of this issue.

25 I do wish to ask you to consider this when

1 making your decision. What does the addition of  
2 the add of more residential properties do to  
3 increase the quality of living or the benefit to  
4 Jerome Township at this time? We certainly are not  
5 adding to our coffers. In fact, it seems we are  
6 doing quite the opposite.

7 I would argue that moving forward with this  
8 consent decree would require the residents of  
9 Jerome Township to pass additional tax levies to  
10 sustain our current quality of life. In reading  
11 the Jerome Township comprehensive plan, section  
12 eight, page two under the Cost of Community  
13 Services, and I quote: Decision about changes in  
14 land use are often made at the local level and need  
15 to be made for the best financial information  
16 available. One tool used to look at the financial  
17 impacts of development is the cost of community  
18 services study, the COCS.

19 It is conventional in COCS studies to divide  
20 land into three categories: Residential,  
21 commercial/industrial, and farmland open space.  
22 One of the most common procedures used in the  
23 calculation of this COCS ratio for each land use  
24 category is the ratio compared to how many dollars  
25 of local government services are in demand per

1       dollar collected. A ratio greater than one  
2       suggests that for every dollar of revenue collected  
3       for the given category of land, more than one  
4       dollar is spent in association with it.

5               Virtually all studies show that for  
6       residential land, this COCS ratio is substantially  
7       above one; that is, residential land tends to be a  
8       net drain on local government budgets. The average  
9       estimate ranges from about \$1.15 to one and a half  
10      dollars, which means that for every dollar  
11      collected it gets returned in the form of services  
12      for local government and school districts. I don't  
13      know if any -- of any resident that would  
14      compromise education of the generations to build  
15      more homes.

16             Traffic has been a concern that no doubt has  
17      been discussed but not solved. Traffic congestion  
18      adds to travel time which reflects on the  
19      desirability of the community. We recently were  
20      hit with blanket appraisals that significantly  
21      increased the taxable values of our homes. The  
22      nation is struggling with inflation, which is  
23      reflected not only in our monthly expenditures but  
24      our savings through the market, so I ask why. Why  
25      would any trustee vote to add to the community's

1 financial challenges when not only we as a  
2 community are going through growing pains, the  
3 nation is experiencing higher inflation than has  
4 been seen in decades.

5 How does this vote affect the future? Will  
6 Jerome Township have control of its zoning moving  
7 forward? Will it be so quick to relinquish control  
8 now, and why? At to the argument there's a housing  
9 shortage, we have -- as a township have done more  
10 than our fair share, and there are hundreds if not  
11 thousands of homes that have been approved and  
12 yet --

13 MS. SLOAT: Three minutes. Thank you. Next  
14 we have Christy Russell.

15 MS. RUSSELL: Good evening.

16 MS. SLOAT: Good evening.

17 MS. RUSSELL: Christy Russell, C-H-R-I-S-T-Y,  
18 Russell, R-U-S-S-E-L-L. Address 11680 Taylor Road,  
19 Plain City. I don't have any prepared speech like  
20 everyone else, but I concur with everything that  
21 people have said. My brother and I have attended  
22 several of these meetings regarding the Rolling  
23 Meadows development. My brother lived adjacent to  
24 the proposed development then. We did what we were  
25 instructed to do. We were good citizens. We did

1 the referendum. It got on the ballot. The voters  
2 spoke. And to be honest, I don't really clearly  
3 understand how and why we are where we are. The  
4 voters have said numerous times over several  
5 developments that it isn't what they wanted.

6 I'm not naive enough to think that Jerome  
7 Township is not going to grow, but we need to do it  
8 in a way that preserves our rural community. The  
9 densities are way too high. Buffers to current  
10 residents, the traffic, the landfills, those are  
11 all valid issues that need to be concerned --  
12 considered and work with the residents to figure  
13 out a solution.

14 Not to say it's always going to be no, but  
15 the residents need to be heard and they need to  
16 have a say, and I think we've said what we wanted  
17 regarding these developments. And with that -- and  
18 also with the trustees, like, the residents are  
19 speaking. We just ask that you guys hear and  
20 respond accordingly and don't rush through things  
21 and just be respectful of those that put you in the  
22 seats that you're in. Thank you.

23 MS. SLOAT: Thank you. Next we have Barry  
24 Adler.

25 UNIDENTIFIED SPEAKER: Woo-hoo.

1 MS. SLOAT: Excuse me, sir. No.

2 MR. ADLER: My name is Barry Adler.

3 B-A-R-R-Y, A-D-L-E-R. 9559 Industrial Parkway. I  
4 read the consent decree and there are a few items  
5 that are confusing to me. Maybe you can help me  
6 understand how this consent decree is fair and  
7 reasonable. What happened to the filing to dismiss  
8 the federal suit? Why didn't you wait until the  
9 judge ruled on that? I thought that the township  
10 made a good case and if the judge dismissed the  
11 lawsuit that there will be no liabilities for any  
12 excessive losses claimed by the plaintiff  
13 developers and that the only cost to the township  
14 would be for our legal fees to defend against the  
15 suit.

16 The township trustees followed its rules and  
17 interpretations for approving rezonings. The  
18 residents objected and followed the legal process  
19 to referendum rezoning. Please help me to  
20 understand, why are the trustees being accused of  
21 misusing the referendum process and why is the  
22 township being sued for damages? The plaintiffs  
23 can provide a basis to deny the motion to dismiss  
24 and provide a basis for their financial loss.  
25 Shouldn't this information have been shared with

1 the public so that they can better understand how  
2 you as trustees determine that this consent decree  
3 is fair and reasonable?

4 Maybe I don't understand this, but why would  
5 you ignore the rejections of over 70 percent of the  
6 voting residents to give the plaintiffs basically  
7 what they want? Is it the net gain of \$2 million  
8 buying your consent? Is it correct that of the  
9 offered 2.65 million that 400,000 is just an  
10 extension of funds that are already owed to the  
11 township and that \$250,000 will be handed back to  
12 the other three plaintiffs as part of the  
13 settlement? Is it the fact that Jerome Village is  
14 the only plaintiff paying the township and they're  
15 able to do this from funds raised by the impact  
16 fees that they already collect annually from the  
17 residents? It would appear that the residents will  
18 be paying the township to approve the very  
19 development that they voted to reject.

20 Are any of the plaintiffs -- are any of the  
21 plaintiffs offering any contributions to offset --  
22 are any of the other plaintiffs offering any  
23 contribution to offset the economic and  
24 administrative burdens associated with their  
25 residential developments? It appears that they're

1 actually requiring payment from the township. How  
2 is this fair and reasonable for Jerome Village  
3 residents when the majority of the voting residents  
4 rejected these developments.

5 Maybe I'm also confused, but why is there  
6 language included that makes approval of subsequent  
7 applications an administrative act as stated in  
8 item 23 of the consent decree? Does this mean that  
9 developers can change their plans and the future  
10 trustees would be obligated to approve them as an  
11 administrative action that will deny residents the  
12 right to referendum? Does this mean that Jerome  
13 Village or other plaintiffs such as Rolling Meadows  
14 can keep acquiring adjacent properties and just  
15 fold it into their planned development and just  
16 submit final development plans for approval?

17 How is this fair and reasonable for the  
18 majority of voting residents who have rejected  
19 these developments? Approval of these four  
20 projects will add another 679 residential units to  
21 the township. How is it that this consent decree  
22 appears to ignore many of the concerns of residents  
23 regarding adverse impacts of traffic, safety,  
24 public welfare, and the added cost of community  
25 services.

1 MS. SLOAT: Three minutes. Three minutes.

2 MR. ADLER: Thank you for your consideration.

3 MS. SLOAT: Thank you. Next we have Andrew  
4 Diamond.

5 MR. DIAMOND: I'm Andrew Diamond,  
6 D-I-A-M-O-N-D, 7411 Spruce Court, Plain City. The  
7 plaintiffs claim that their developments were  
8 turned down by a small vocal minority in an  
9 arbitrary and capricious way. That's plainly not  
10 true. Each and every development has its own  
11 flaws, which beyond the traffic, schools, EMS, you  
12 know, were unique to those developments. I'm  
13 talking about the things like the toxic landfills,  
14 the jurisdictional wetlands, things like that that  
15 the developers have shown, you know, complete  
16 disregard for.

17 You know -- in July I believe is when this --  
18 this suit was filed. In September, the plaintiffs  
19 asked for -- well, in September the motion to  
20 dismiss was filed. The plaintiffs asked for more  
21 time. A couple months go by. They ask for more  
22 time. Well, what's the more time for? Is it to  
23 get to this last two weeks of the year when two of  
24 our three trustees are on their way out of office  
25 so they can approve this and then let the door slam

1 behind them on their way out?

2 The right thing to do would be to let this  
3 motion to dismiss play out. Let's see what happens  
4 with that. I thought it was a reasonable motion to  
5 dismiss. Let's hear what the judge has to say  
6 about it before we fold and give the developers  
7 everything they've asked for along the way.

8 If you do approve this, you're failing to  
9 adequately represent the township. The people  
10 decided these issues, most of which arose from the  
11 split decisions of this board of trustees. If a  
12 vote does take place tonight, I believe we need to  
13 look at the -- at the three of you who are voting.  
14 Mr. Craft may need to be recused due to the fact  
15 that he's received campaign contributions from one  
16 of the parties in question here. J&J Land  
17 Development --

18 MS. SLOAT: (Gavel knocking).

19 MR. DIAMOND: J&J Land Development was a  
20 major contributor to Mr. Craft's campaign. They  
21 have a member -- the director and officer sits on  
22 the board of the Jerome Village Community  
23 Development Authority. That sounds like it could  
24 be a conflict of interest. I believe Mr. Craft  
25 should recuse himself if a vote does take place

1           tonight. And with that I'll close. Thank you.

2           MS. SLOAT: Thank you. Mr. Larry Mastella.

3           MR. MASTELLA: Good evening. Larry Mastella.

4           L-A-R-R-Y, M-A-S-T-E-L-L-A. I live at 9362 Brock  
5           Road. I wanted to agree with all these good folks  
6           here tonight. You know, the public spoke. We have  
7           trustees. A trustee is an individual that is  
8           elected to look after our township and our  
9           residents. We've actually spoken on numerous  
10          occasions to say that not that we're against  
11          development, that we're actually against bad  
12          development, that we want to have some of the  
13          things that have been promised about how we're  
14          going to fix our roads, fix our emergency services,  
15          do things that prepare us for development, do that  
16          first and stick with the rural character of what  
17          we've come to love as our home here in Jerome  
18          Township.

19          You know, I've been here for 12 years. I  
20          moved here for a reason. To raise a family.  
21          Because I was able to have some space. I live on  
22          nine acres. I've not been opposed to the Scott  
23          Development across the street from my house. What  
24          I was opposed to was the fact that the original  
25          plan had their exit from all those homes directly

1 across from my driveway. Oh, by the way, it was on  
2 the back side of a hill, which was dangerous.

3 What I'm also against is the fact that they  
4 did promise road improvements and they didn't come  
5 through with that. That's not in writing so that's  
6 not going to happen. You know, perception is very  
7 interesting. I've yet to see where the benefit of  
8 this consent decree is going to benefit the  
9 trustees or this community. Where's the benefit?  
10 Where are the people standing up saying, "yes, we  
11 need to do this" tonight? I haven't heard that. I  
12 don't think we will hear that, so what I'm saying  
13 is, vote no, give it time, let it work its course.  
14 Thank you.

15 MS. SLOAT: Thank you. Next we have David  
16 Shore.

17 MR. SHORE: Good evening. David Shore,  
18 D-A-V-I-D, S-H-O-R-E. I live at 10014 Ketch Road,  
19 Plain City. I'm I'll say unfortunate enough now  
20 where I live, east side of the road is Jerome  
21 Township, west side of the road is Darby, so it's  
22 pretty frustrating lately to all my friends and  
23 neighbors. Different trustees. They listen to  
24 this. They get work done for them, and now here we  
25 are. So I think myself and 73, 74 percent of my

1 neighbors are just trying to figure out why we're  
2 even here tonight for this.

3 It's been pretty clear. The only thing I can  
4 guess is that you guys are afraid of the money  
5 aspect of it. Well, I mean, I read the paperwork.  
6 Looks like a bunch of suits from Columbus came in,  
7 wrote a bunch of legal jargon on paper, and now  
8 we're scared of it or something. But Jerome  
9 Township, we're not a suit and tie place. I will  
10 say that.

11 So, I believe we should vote no tonight. Let  
12 it go. If it's got to go to the jury, wherever it  
13 goes, then let it go there. I just -- I think  
14 before any vote takes place tonight, if a vote does  
15 take place, we should hear why we're even  
16 considering a vote. I'm going to echo what  
17 everyone else said. I mean, two of you are  
18 leaving. Why are you even getting involved in  
19 this? We don't even want you here anymore, so, I  
20 mean, I don't know why you're -- I don't understand  
21 why the vote's taking place tonight. Postpone it.

22 Like, you guys are out. You're not here. I  
23 know one got voted out, one appears to be leaving  
24 on his own will. Okay, that's fine. Let the new  
25 people that are coming over that we elected to

1 represent us represent us going forward. That's  
2 all I have to touch on tonight.

3 MS. SLOAT: Next we have Marilyn -- I'm sorry  
4 if I mispronounce your name again.

5 MS. VALOIS: Valois.

6 MS. SLOAT: Valois.

7 MS. VALOIS: I'm Marilyn Valois,  
8 M-A-R-I-L-Y-N. Valois is V as in victory,  
9 A-L-O-I-S. I'm here tonight. I think I'm probably  
10 the last one because no one else came in behind me.  
11 What I would like to do is just reference what  
12 everyone else has said already. It's not the first  
13 time you've heard any of this. This has always  
14 been our position.

15 I have several points here. I'm going to be  
16 very brief. First of all, your referendums were  
17 voted by the people, by the residents. Number two.  
18 We residents have been accused of not wanting  
19 development. That's not true. We resist rampant  
20 development, which only benefits developers and  
21 adds to the corruption of our already fractured  
22 infrastructure. Three. Big business is trampling  
23 over the civic rights of the residents. This is  
24 something we should all stop and take a look at.  
25 This is not good. Number four. Please reject this

1 consent decree. You represent the people who voted  
2 for you. That's how it's supposed to work, anyhow.

3 That's all I have to say other than to carbon  
4 copy absolutely everything that has been said prior  
5 to my three minutes or two minutes. Thank you.

6 MS. SLOAT: Thank you. That concludes our  
7 public comment. We don't have anyone else signed  
8 up for public comment, so I'm going to bring this  
9 matter back to the board for consideration.

10 MR. CRAFT: I have a statement I would like  
11 to just read to the folks that have come out and  
12 also to the rest of the board.

13 Earlier this year, several developers filed  
14 litigation challenging referendum petitions to  
15 overturn zoning decisions that were made in  
16 alignment with the township's comprehensive plan.  
17 The developers were seeking more than \$13 million  
18 in damages, arguing -- arguing the use of ballot  
19 initiatives was unlawful.

20 The lawsuit has been very challenging -- a  
21 very challenging time for me personally. All of  
22 these benefits were the result of a negotiation  
23 between all parties to the overall benefit of the  
24 township: \$1 million for outfitting the fire  
25 station and equipment in addition to the

1           5.5 million already committed along with donated  
2           land for the facility. All future commercial  
3           development will go into a joint economic  
4           development district allowing the township to  
5           realize income tax on future development. This  
6           means 15 percent of the income taxes collected by  
7           the JEDD will be available for the township to use  
8           at its discretion.

9           1.25 million in future payments of \$125,000  
10          annually for the next ten years to support future  
11          township needs. This is in addition to the  
12          \$100,000 annually over the past ten years and the  
13          \$400,000 to be paid in 2022. A hundred fewer homes  
14          than originally proposed in the Rolling Meadows  
15          development. The twelfth amendment allows for the  
16          continuation of the Jerome Village development plan  
17          that was originally approved more than ten years  
18          ago requiring future development to comply with the  
19          same high quality standards, green space  
20          commitments, infrastructure improvements, and other  
21          public amenities.

22          This agreement provides a framework for smart  
23          growth that mitigates risk, creates long-term  
24          benefits for current and future residents. I  
25          believe this is a fair settlement that avoids

1       costly litigation that could cripple the township  
2       long term and instead creates a flow of ongoing  
3       revenue and benefits for the township while  
4       allowing responsible, high quality development to  
5       continue. Were the litigation to go forward, I'm  
6       not willing to risk losing or becoming liable for  
7       millions of dollars in damages that the township  
8       does not have. In the big picture, this settlement  
9       is in the best interest of all Jerome Township  
10      residents.

11               UNIDENTIFIED SPEAKER: No.

12               UNIDENTIFIED SPEAKER: Nobody here tonight  
13      feels that. It sounds like Build Back Better. He  
14      has spoke three minutes.

15               MS. SLOAT: He is a member of the board of  
16      trustees and he is reading his statement now.  
17      Public comment is over now. If order cannot be  
18      maintained, this is a -- we're going to keep this  
19      meeting orderly. I understand that emotions are  
20      high. I understand people are upset, but order  
21      will be maintained. If it cannot, then you'll be  
22      asked to leave. So let's keep this meeting in  
23      order, please. Mr. Craft.

24               MR. CRAFT: Thank you. I'd like to move to  
25      adopt the resolution approving the consent decree

1 in the matter styled Craig D. Scott, trustee, et  
2 cetera, et al., versus Jerome Township, United  
3 States District Court Southern District of Ohio,  
4 Case Number 2:21-CV-03993 for consideration by the  
5 District Court pursuant to Ohio Revised Code  
6 Section 505.07.

7 MR. LOVEJOY: Second.

8 MS. SLOAT: Roll call, please.

9 MR. CALDWELL: Mr. Craft?

10 MR. CRAFT: Yes.

11 MR. CALDWELL: Mr. Lovejoy?

12 MR. LOVEJOY: Yes.

13 MR. CALDWELL: Ms. Sloat?

14 MS. SLOAT: No. The time is 7:52 p.m. I  
15 would like to adjourn this meeting.

16 MR. CRAFT: Second.


17 MS. SLOAT: Meeting adjourned.

18 (Proceedings adjourned.)  
19  
20  
21  
22  
23  
24  
25

C-E-R-T-I-F-I-C-A-T-E

- - - - -

I, Belinda M. Wolford, do hereby certify  
that the foregoing transcript is a true and correct  
transcript of the December 20, 2021 proceedings in this  
matter, taken by me and transcribed from my stenographic  
notes to the best of my ability.



Belinda M. Wolford  
Registered Professional Reporter  
Notary Public, State of Ohio  
My commission expires: 4/12/26

Attachment 1

Jerome township

STATE OF OHIO,  
City of Marysville, as  
Union County.

Personally appeared before me

Sherryl Sheets

and made solemn oath, that the

Legal Notice

a copy of which is hereto attached, was

published for 2 consecutive weeks onand next after 12/13, 2021in The Marysville Journal-Tribune, a  
newspaper of general circulation in the  
City of Marysville and Union County.Sherryl Sheets

Sworn to before me and signed in

my presence this 5 day of DecA. D. 2021...Marek Mann Vigar  
Notary PublicMy commission expires 9/21, 2026Printer's Fees, \$ 26.00

## PUBLIC NOTICE

The Jerome Township, Ohio Board of Trustees will be considering entering a Consent Decree in the matter styled Craig D. Scott, Trustee, et al. v. Jerome Township, United States Dist. Ct., So. Dist. Of Ohio, Case No. 2:21-cv-03993. Beginning the 5th day of December 2021 and through the close business on the 20th day of December 2021, a copy of the Consent Decree will be available to the public at the Jerome Township fiscal officer's office, during the Township's normal business hours (8 a.m. to 4:30 p.m.) 9777 Industrial Parkway Plain City, Ohio 43064. On the 20th day of December 2021, beginning at 7 p.m., the Jerome Township Board of Trustees will conduct a public meeting to meet, consider and take action upon the Consent Decree [Ref.: Ohio Revised Code § 505.07, et seq.]

12-03-1F  
12-04-1S

## LEGAL NOTICES 900

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The Jerome Township, Ohio Board of Trustees will be considering entering a Consent Decree in the matter styled Craig D. Scott, Trustee, et al. v. Jerome Township, United States Dist. Ct., So. Dist. Of Ohio, Case No. 2:21-cv-03993.

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12-03-1F  
12-04-1S